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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,531	02/13/2002	David Nguyen	1726.7221200	8963

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EXAMINER

NGUYEN, MINH T

ART UNIT	PAPER NUMBER
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2816

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/075,531

Applicant(s)

NGUYEN ET AL.

Examiner

Minh Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) 5-7, 12-15 and 23-52 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 8-10, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 11 and 18-22 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/13/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicants' election with traverse of species I, claims 1-4, 8-11 and 16-22 filed on 12/24/03 is acknowledged. The traversal is on the ground(s) that the claims are all clearly related and not independent from each other is not persuasive. First, the argument they are all related to accommodating transition-induced delay is unreasonably broad because as the applicants are well-aware, hundred of different embodiments for performing such a function exist in the prior art. Second, applicants should be aware that quality of the examination cannot be ensure when the application has too many claims and embodiments. As clearly discussed in the restriction requirement, the claims are not directed to a single disclosed embodiment, i.e., in the claims, three distinct species are detected, further, the applicants do not argue for the record that these species are obvious modifications one from the others, therefore, they are seen as independent from each other because the structure of one is different and distinct from the others.

The requirement is still deemed proper and is therefore made FINAL.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because the first sentence is a repeated information given in the title. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities: the Summary of Invention section and its header are missing.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 4, 8-10 and 16-17 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,351,172, issued to Ouyang et al.

As per claim 8, Ouyang discloses an apparatus (the combination of a plurality of the circuits shown in Fig. 3, the driver shown in Fig. 3 is part of a plurality of output drivers, column 1, lines 58-60) for accommodating transition-induced delay comprising:

a transition detection block (the combination of circuits 64, also see Fig. 4, decision block 440, i.e., detecting the transition of the input signal) having a plurality of inputs (INPUT SIGNALS), the inputs coupled to a plurality of lines (the combination of lines receive INPUT SIGNALS and outputting the OUT signals), the transition detection block detecting transitions of the lines (INPUT SIGNALS are fed to the circuits 64 for detecting the transitions); and

a delay adjustment block (the combination of output drivers 68) coupled to the transition detection block (as shown, each transition detection circuit connects to the associated delay adjustment circuit), the delay adjustment block adjusting a delay in at least one of the lines (increasing or decreasing the driving capacitive of the line, i.e., dynamically alter the impedance of the output driver 68).

As per claim 9, Fig. 4, block 450 indicates the transition detection block detects a first type of the transitions from a first level (LOW) to a second level (HIGH) and a second type of the transitions from the second level (HIGH) to the first level (LOW).

As per claim 10, Fig. 4, block 450 clearly indicates the delay adjustment block adjusts the delay based on a relationship between the first type of the transitions and the second type of the transitions .

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As per claims 1 and 4, these claims are merely a method to operate the apparatus discussed in claim 8, since Ouyang teaches the apparatus, the method to operate is inherently taught.

As per claim 16, this claim is merely a method to operate the apparatus discussed in claim 8, since Ouyang teaches the circuit, he inherently teaches the recited method.

As per claim 17, rejected for the same reasons noted in claim 9.

Allowable Subject Matter

4. Claims 2-3, 11 and 18-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 11 is allowable because the prior art of record fails to disclose or suggest the inclusion of the limitation the relationship is a difference between a first number of lines exhibiting the first type of the transitions and a second number of lines exhibiting the second type of the transitions.

Claims 2-3 are allowable because the prior art of record fails to disclose or suggest the inclusion of the step of adjusting the first delay in the first line based on the first and second relationships as recited in claim 2.


Claims 18-22 are allowable for the reason noted in claim 11.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Nguyen whose telephone number is 571-272-1748. The examiner can normally be reached on Monday, Tuesday, Thursday, Friday 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



3/20/04

Minh Nguyen
Primary Examiner
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